IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Bail Appl..No. 1518 of 2007()

CRIME.14/2007 of VELLARADA POLICE STATION.

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PETITIONERS (ACCUSED)

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1. G.P.SURESH KUMAR,S/O.GANA SUNDARAM, SURESH BHAVAN,KOOTHALI,VELLARADA VILLAGE, NEYYATTINKARA.

2. SINU, S/O.RUSSELAYYAN,ROADARIKATHU VEEDU,KOOTHALI P.O., VELLARADA VILLAGE.

3. BINU,S/O.KUMARA SWAMI,KARIPPUKALI THOTTANIKARA PUTHEN VEEDU,KOOTHALI P.O, VELLARADA VILLAGE.

4. SHAJI, S/O.KUMARA SWAMI,-DO- -DO-

BY ADV. SRI.G.SUDHEER

RESPONDENT:

STATE OF KERALA REP.BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1518 OF 2007 D

Dated this the 14th day of March, 2007

O R D E R

Petitioners seek anticipatory bail on the allegation that the Vellarada police are at their heels in connection with Crime No.14/07 registered for offences punishable under sections 143, 147, 148, 452 and 324 read with section 149 IPC.

2. Learned Public Prosecutor, on instructions, submitted that the 3rd petitioner is not an accused in the case and petitioners 1, 2 and 4 are accused Nos.5, 4 and 3 respectively in the above crime.

3. The case of the prosecution is that at about 11.30 p.m. on 5.1.07 the accused persons armed with deadly weapons like knife, stick, etc. criminally trespassed upon the house of the de facto complainant after breaking open the door and the second accused stabbed him with a knife and rest of the accused beat him with sticks.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit accused Nos.3 to 5 to surrender before the Investigating Officer for interrogation and then to have their application for regular bail considered by the Magistrate concerned. Accordingly, accused Nos.3 to 5 are directed to surrender before the Investigating Officer on any day between 20.3.2007 and

22.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The said accused persons shall, thereafter, be produced on the same day before the JFCM-III, Neyyattinkara, who shall consider and dispose of the application, if any, filed by the aforesaid accused persons for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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